

**UNAPPROVED DRAFT**  
**BOARD OF DENTISTRY**  
**MINUTES**  
**SPECIAL CONFERENCE COMMITTEE "B"**

**TIME AND PLACE:** Special Conference Committee "B" convened on January 25, 2008 at 11:06 a.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Richmond, VA 23233.

**APPROVAL OF MINUTES:** Dr. Pirok moved to approve the minutes of the Special Conference Committee "B" meeting held on November 30, 2007. The motion was seconded and passed.

**FIRST CONFERENCE:**

**PRESIDING:** Edward P. Snyder, D.D.S.

**MEMBERS PRESENT:** Darryl J. Pirok, D.D.S.  
Misty L. Sissom, R.D.H.

**STAFF PRESENT:** Alan Heaberlin, Deputy Director  
Cheri Emma-Leigh, Operations Manager  
Gail W. Ross, Adjudication Specialist

**QUORUM:** All three members of the Committee were present.

**DANIEL F. BABIEC, D.M.D.**  
**Case No. 105930**

Daniel F. Babiec, D.M.D., appeared with counsel, Kenneth C. Hirtz, Esq., to discuss allegations that he may have violated laws and regulations governing the practice of dentistry, in that,

1. He broke Patient A's permanent bridge on or about July 14, 2005, while extracting tooth #32, which caused extreme pain in the areas of teeth #29, #30, and #31.
2. After breaking Patient A's permanent bridge, he failed to deliver a properly fitting bridge.
3. He failed to address the patient's pain caused by the ill-fitting temporary bridges he placed on teeth #29-31 and the root canal he performed on tooth #3 on or about October 27, 2005.

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The Committee received Dr. Babiec's statements and discussed the evidence in the case with him.

**Closed Meeting:**

Ms. Sissom moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(28) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Daniel F. Babiec, D.M.D. Additionally, Ms. Sissom moved that Board staff, Alan Heaberlin and Cheri Emma-Leigh, and Administrative Proceedings Division staff, Gail Ross, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations. The motion was seconded and passed.

**Reconvene:**

Ms. Sissom moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee. The motion was seconded and passed.

The Committee reconvened in open session pursuant to § 2.2-3712(D) of the Code.

**DECISION:**

Dr. Snyder reported that the Committee determined that a violation of the Board's statutes and regulations was not established by clear and convincing evidence, and therefore, the case is dismissed. Dr. Priok moved to adopt the decision of the Committee. The motion was seconded and passed.

**ADJOURNMENT:**

With all business concluded, the Committee adjourned at 12:02 p.m.

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Edward P. Snyder, D.D.S., Chair

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Sandra K. Reen, Executive Director

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Date

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Date